

**REED SMITH LLP**

*Formed in the State of Delaware*

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**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW JERSEY**

LUBOS NAPRSTEK,

Plaintiff,

v.

DITECH FINANCIAL LLC, DT  
HOLDINGS LLC, GREENTREE  
SERVICING LLC, WALTER  
INVESTMENT MANAGEMENT CO.,  
FEDERAL NATIONAL MORTGAGE  
ASSOCIATION (FANNIE MAE), TBI,  
TOLL BROTHERS, BANK OF  
AMERICA, and SAFEGUARD  
PROPERTY,

Defendants.

Civil Action No.

2:18-CV-11442-CCC-SCM

*Motion Returnable:*

*January 7, 2019*

**NOTICE OF DEFENDANTS'  
MOTION TO DISMISS  
PLAINTIFF'S AMENDED  
COMPLAINT WITH PREJUDICE**

To: Joshua Louis Thomas  
Joshua L. Thomas & Associates  
1110 Pocopson Road  
P.O. Box 415  
Popcorn, PA 19366  
*Attorneys for Plaintiff Lubos Naprstek*

**PLEASE TAKE NOTICE THAT** on January 7, 2019, at 9:00 a.m., or as soon thereafter as counsel may be heard, counsel for Ditech Financial LLC, DT Holdings LLC, Green Tree Servicing LLC, Walter Investment Management Corporation, and Federal National Mortgage Association (collectively, “Defendants”) shall move before the Honorable Judge Claire C. Cecchi, U.S.D.J., at the Federal District Court for the District of New Jersey located at the Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Newark, New Jersey 07101, on a Motion to Dismiss Plaintiff’s Amended Complaint with Prejudice.

**PLEASE TAKE FURTHER NOTICE** that in support of this Motion, Defendant shall rely on its Memorandum of Law and Certification of Brian P. Matthews, Esq., with exhibits submitted herewith.

**PLEASE TAKE FURTHER NOTICE** that a proposed form of Order granting Defendant’s Motion to Dismiss Plaintiff’s Complaint is enclosed herewith.

**REED SMITH LLP**

s/ Brian P. Matthews  
Brian P. Matthews

Dated: November 27, 2018